REMARKS

Amendments

The Specification and Claims are amended to provide the components and concentrations of ingredients of the recited Lipid Concentrate. This is a non-proprietary composition (Action, p.2, line 18) of known components and concentrations (Invitrogen-USPTO email string, attached). These amendments introduce no new matter.

Definiteness

The definiteness issue is resolved by the foregoing amendments.

Double-patenting (provisional)

A terminal disclaimer will be filed in the copending Serial No. 11/015,180.

Conclusion

The only copending application with similar subject matter is the forementioned Serial No. 11/015,180. A copy of the claims pending therein is attached.

Respectfully submitted,
SCIENCE & TECHNOLOGY LAW GROUP

Richard Aron Osman, JD, PhD, Reg. No.36,627
Tel:(949) 218-1757; Fax: (949) 218-1767

"To Help Our Customers Get Patents"
Mission Statement, USPTO External Customer Services Guide

encl. Invitrogen-USPTO email string (2p)
Claims pending in Serial No. 11/015,180 (2p)

Richard Aron Osman

From: Saucier, Sandy [Sandy.Saucier@USPTO.GOV]
Sent: Wednesday, May 31, 2006 6:28 AM
To: Richard@sci-tech.com
Subject: FW: [Incident: 060516-000188]

-----Original Message-----
From: Invitrogen [mailto:invitrogen@custhelp.com]
Sent: Tuesday, May 16, 2006 11:41 AM
To: Saucier, Sandy
Subject: [Incident: 060516-000188]

invitrogen

NOTE: THIS IS NOT AN AUTOMATED RESPONSE! PLEASE SCROLL DOWN to see a summary of your request and our response. If you need to update your question or you would like to view our FAQ database please click the link BELOW. If you do not have a password, simply click LOGIN button. You can also REPLY to this e-mail by entering the text between the specified lines.

We will assume your issue has been resolved if we do not hear from you within 48 hours.

Thank you for allowing us to be of service to you.

[===> Please enter your reply below this line <===]

[===> Please enter your reply above this line <===]

click here to login and update your incident

Subject
Is there a printed or published list of the components and concentrations the...

Discussion Thread
Response (Hong Lu) 05/16/2006 08:40 AM

Hi Sandy,
The formulation of lipid concentrate 11905 is:

FORMULA:
Components mg/L
Pluronic F-68 90,000.00
Ethyl Alcohol (200 Proof) 100.0 mL/L
Cholesterol 220.00
Tween 80 2,200.00
DL-alpha-Tocopherol acetate 70.00
Stearic acid 10.00
Myristic acid 10.00
Oleic acid 10.00
Linoleic acid 10.00

Palmitic acid 10.00
Palmitolcic acid 10.00
Arachidonic acid 2.00
Linolenic Acid 10.00

Customer (Sandy Saucier) 05/16/2006 08:36 AM

Is there a printed or published list of the components and concentrations thereof for Lipid Concentrate 11905-031 or is it a proprietory formulation?

Auto-Response 05/16/2006 08:36 AM

Title: Maximum Concentrations of Reagents in Transfection Complexes
Link: https://invitrogen.custhelp.com/cgi-bin/invitrogen.cfg/php/enduser/std_adp.php?p_faqid=1319&p_created=1017878549

Title: Concentration of GlutaMAX
Link: https://invitrogen.custhelp.com/cgi-bin/invitrogen.cfg/php/enduser/std_adp.php?p_faqid=78&p_created=934393066

Title: Protein concentration in CHO-S-SFM II
Link: https://invitrogen.custhelp.com/cgi-bin/invitrogen.cfg/php/enduser/std_adp.php?p_faqid=88&p_created=934397151

Title: Precipitation of cationic lipid reagent-DNA complex
Link: https://invitrogen.custhelp.com/cgi-bin/invitrogen.cfg/php/enduser/std_adp.php?p_faqid=1317&p_created=1017877981

Title: Cell death after transfection
Link: https://invitrogen.custhelp.com/cgi-bin/invitrogen.cfg/php/enduser/std_adp.php?p_faqid=1316&p_created=1017877573

Tze Hong Lu, Ph.D.
Invitrogen Corporation
Technical Support Scientist I
phone: 1-800-955-6288 ext. 46657
fax: 716-774-6727
e-mail: techsupport@Invitrogen.com

WHAT IS CLAIMED IS:

1. A tissue preservation medium containing a polyoxyethylene/polyoxypropylene copolymer in final concentration of 0.5 to 5 mg/ml.

2. The medium of claim 1, wherein the polyoxyethylene/polyoxypropylene copolymer is Pluronic F68.

3. The medium of claim 1, wherein the polyoxyethylene/polyoxypropylene copolymer is FLOCOR (CRL-5861; purified poloxamer 188)

4. The medium of claim 2, wherein the medium is Steinhardt medium.

5. The medium of claim 3, wherein the medium is Steinhardt medium.

6. The medium of claim 2, wherein the medium is Optisol GS supplemented with the polyoxyethylene/polyoxypropylene copolymer.

7. The medium of claim 3, wherein the medium is Optisol GS supplemented with the polyoxyethylene/polyoxypropylene copolymer.

8. The medium of claim 1, wherein the medium is ViaSpan supplemented with the polyoxyethylene/polyoxypropylene copolymer.

9. The medium of claim 1, wherein the medium is ViaSpan supplemented with the polyoxyethylene/polyoxypropylene copolymer.

10. The medium of claim 3, wherein the medium is ViaSpan supplemented with the polyoxyethylene/polyoxypropylene copolymer.

11. A kit for preserving tissue comprising:
a premeasured amount of the preservation medium of claim 1.

12. A kit for preserving tissue comprising:

a premeasured amount of the preservation medium of claim 1, and

recorded instructions copackaged or associated with the premeasured amount describing use of the medium to preserve a tissue.

13. A method of using the preservation medium of claim 1, comprising the step of:
incubating a tissue in the medium.

14. A method of using the preservation medium of claim 1, comprising the step of:
incubating a tissue in the medium; and
verifying post-incubation survival and transplant utility of the tissue.

15. A method of using the preservation medium of claim 1, comprising the step of:
incubating a tissue in the medium at 4 degrees C.

16. A method of using the preservation medium of claim 1, comprising the step of:
incubating a tissue in the medium at 4 degrees C; and
verifying post-incubation survival and transplant utility of the tissue.

17. A method of using the preservation medium of claim 1, comprising the step of:
incubating a tissue in the medium at 4 degrees C for between 7 and 21 days.

18. A method of using the preservation medium of claim 1, comprising the step of:
incubating a tissue in the medium at 4 degrees C for between 7 and 21 days; and
verifying post-incubation survival and transplant utility of the tissue.

19. A method of using the preservation medium of claim 1, comprising the step of:
incubating a cornea tissue in the medium at 4 degrees C for between 7 and 21 days.

20. A method of using the preservation medium of claim 1, comprising the step of:
incubating a cornea tissue in the medium at 4 degrees C for between 7 and 21 days; and
verifying post-incubation survival and transplant utility of the tissue.